

Pete Walter

From: Pete Walter
Sent: Friday, February 7, 2020 10:00 AM
To: BROWN Jevra
Cc: HUFFMAN Anita; BUTTERFIELD Melinda; RYAN Peter
Subject: RE: Oregon City Wetland Question (WD#2016-0272)
Attachments: NROD Delineation Report.pdf

Here is the attachment.

Pete Walter, AICP, Senior Planner
Oregon City Community Development Department
(503) 496-1568

From: Pete Walter
Sent: Friday, February 7, 2020 9:59 AM
To: BROWN Jevra <jevra.brown@state.or.us>
Cc: HUFFMAN Anita <anita.huffman@state.or.us>; BUTTERFIELD Melinda <melinda.butterfield@state.or.us>; RYAN Peter <peter.ryan@state.or.us>
Subject: RE: Oregon City Wetland Question (WD#2016-0272)

Hi there,

We located the report that accompanied the wetland delineation. This was submitted with the Site Plan and Design Review application in 2017. You may want this for your records.

Thanks,

Pete Walter

Pete Walter, AICP, Senior Planner
Oregon City Community Development Department
(503) 496-1568

From: BROWN Jevra <jevra.brown@state.or.us>
Sent: Monday, February 3, 2020 6:26 PM
To: Pete Walter <pwalter@orcify.org>
Cc: HUFFMAN Anita <anita.huffman@state.or.us>; BUTTERFIELD Melinda <melinda.butterfield@state.or.us>; RYAN Peter <peter.ryan@state.or.us>
Subject: RE: Oregon City Wetland Question (WD#2016-0272)

Hi Pete,

I just spoke with Peter Ryan and Anita Huffman. This wetland was not mapped on the Local Wetlands Inventory (LWI). I believe it was not mapped because of the age of the LWI, 1999 (pre-2001). During this time DSL did not require any mapping of features less than 0.5 acre in size. The size of the portion of the wetland reported in the delineation of ~0.09 acres within the study area indicates this wetland may be less than 0.5 ac in size even now.

Additionally, DSL does not require the Oregon Freshwater Wetland Assessment Method (OFWAM) functional assessment to be completed for any wetlands smaller than 0.5 ac, nor any further analysis. For both of these reasons a Locally Significant Wetland (LSW) Determination would not have been made.

If the commenter feels that this wetland would meet the LSW criteria they are welcome to hire a consultant to map the wetland, complete OFWAM, and run the wetland findings through the LSW criteria.

There is information on our website about how to choose and work with wetland consultants, see screen shot attached. The rules for LSW determination are here, beginning at 141-086-0300: <https://secure.sos.state.or.us/oard/displayDivisionRules.action?selectedDivision=351>

OFWAM manual is available here: [Oregon Freshwater Wetland Functional Assessment Method \(OFWAM\)](#)

The delineation was created in response to an enforcement action. Other than this we have no other information about this wetland that I was able to find.

Hope this helps,

Jevra Brown, Aquatic Resource Planner

Department of State Lands

Office 503-986-5297 (M, T, W); cell: 503-580-3172 (Th, F); fax 503-378-4844

Have you heard about the Statewide Wetlands Inventory update? [Learn More!](#)

jevra.brown@dsl.state.or.us

<http://www.oregon.gov/DSL/pages/index.aspx>

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From: Pete Walter <pwalter@orccity.org>

Sent: Monday, February 3, 2020 2:25 PM

To: HUFFMAN Anita <anita.huffman@dsl.state.or.us>

Cc: BROWN Jevra <jevra.brown@dsl.state.or.us>; BUTTERFIELD Melinda <melinda.butterfield@dsl.state.or.us>; RYAN Peter <peter.ryan@dsl.state.or.us>

Subject: RE: Oregon City Wetland Question (WD#2016-0272)

Hello Anita,

Thanks again for your last email. We attempting to ascertain whether there are any other documents available publicly with respect to this wetland that we can submit into the record for our upcoming public hearing on October 10.

Was there an accompanying report or any other documents that address the OFWAM criteria?

This is very important to staff's recommendation. Please respond as soon as you are able. Thank you and I appreciate your prompt response.

Pete Walter

Pete Walter, AICP, Senior Planner

Oregon City Community Development Department

(503) 496-1568

From: HUFFMAN Anita <anita.huffman@state.or.us>

Sent: Tuesday, January 28, 2020 3:45 PM

To: Pete Walter <pwalter@orccity.org>

Subject: RE: Oregon City Wetland Question

Hi Pete,

Just based on the rule, I'd say that most of the requirements are not met by this wetland, but that's only based on my limited knowledge of the wetland itself.

(2)Mandatory LSW Criteria. A local government shall identify a wetland as locally significant if it meets one or more of the following criteria:

(a)The wetland performs any of the following functions at the levels indicated below using the Oregon Freshwater Wetland Assessment Methodology:

(A)Diverse wildlife habitat; or **Not likely**

(B) Intact fish habitat; or **No**

(C) Intact water quality function; or **Do not know, but I don't believe that's the case**

(D) Intact hydrologic control function. **Site is listed as being a slope wetland, but I don't know if there are berms or other means of detaining water at the site or other hydrologic controls.**

(b)The wetland or a portion of the wetland occurs within a horizontal distance less than one-fourth mile from a water body listed by the Department of Environmental Quality as a water quality limited water body (303(d) list), and the wetlands water quality function is described as intact or impacted or degraded using OFWAM. The 303(d) list specifies which parameters (e.g., temperature, pH) do not meet state water quality standards for each water body. A local government may determine that a wetland is not significant under this subsection upon documentation that the wetland does not provide water quality improvements for the specified parameter(s). **I do not know the answer to this.**

(c)The wetland contains one or more rare plant communities, as defined in this rule. **Based on the wetland delineation the site contains primarily non-native and invasive species with no notation of any rare plants.**

(d)The wetland is inhabited by any species listed by the federal government as threatened or endangered, or listed by the state as sensitive, threatened or endangered, unless the appropriate state or federal agency indicates that the wetland is not important for the maintenance of the species. **Do not know the status, but given the location, in an urbanized area, it's not likely.**

(A)The use of the site by listed species must be documented, not anecdotal. Acceptable sources of documentation may include but are not limited to: field observations at the wetland sites during the local wetlands inventory and functional assessments, and existing information on rare species occurrences at agencies such as the Oregon Natural Heritage Program, Oregon Department of Fish and Wildlife, Oregon Department of Agriculture and the U.S. Fish and Wildlife Service.

(B)Input originating from other locally knowledgeable sources constitutes documentation if verified by one of the above agencies or a university or college reference collection.

(e)The wetland has a direct surface water connection to a stream segment mapped by the Oregon Department of Fish and Wildlife as habitat for indigenous anadromous salmonids, and the wetland is determined to have intact or impacted or degraded fish habitat function using OFWAM. **I do not believe this is the case with this wetland.**

The determination would need to come from an LWI delineation or other technical review. But given as it's been manipulated in the past for the roads, and the plant community of the wetland being so poor, it's not necessarily a wetland that meets the criteria above. It is near the Canema Bluffs Natural Area but I don't know what criteria establishes or is required for that designation.

So that's just my opinion. I have not conducted any delineation or studies of the site other than to determine if the development that occurred at the site was outside the wetland area.

I'm happy to help out as I can, so feel free to contact me if you have more questions.

Anita Huffman
Aquatic Resource Coordinator
Clackamas and Washington Counties
Department of State Lands

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From: Pete Walter <pwalter@orcify.org>
Sent: Tuesday, January 28, 2020 2:56 PM
To: HUFFMAN Anita <anita.huffman@dsl.state.or.us>
Subject: Oregon City Wetland Question

Good afternoon Anita,

I'm just following up on my phone message. The Planning Commission is going to be considering the addition of the Canemah wetland to the City's Natural Resources Overlay District on February 10.

Do you know whether this wetland could meet the criteria for a locally significant wetland or not?

https://oregon.public.law/rules/oar_141-086-0350

Thanks,

Pete

Pete Walter, AICP, Senior Planner
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